



Patent  
Attorney's Docket No. 033018-078

IFW  
B94

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

	)	<b>MAIL STOP ISSUE FEE</b>
	)	
In re Patent Application of	)	Group Art Unit: 3743
	)	
Walter A. Nichols et al.	)	Examiner: J. F. Weiss, Jr.
	)	
Application No.: 10/005,155	)	Confirmation No.: 9860
	)	
Filed: December 7, 2001	)	
	)	
For: DISPOSABLE INHALER SYSTEM	)	
	)	
	)	
	)	
	)	
	)	

**REQUEST FOR ACKNOWLEDGMENT THAT ALL DOCUMENTS  
CITED IN MARCH 20, 2002 INFORMATION DISCLOSURE  
STATEMENT HAVE BEEN CONSIDERED**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Applicants gratefully acknowledge receipt of a Notice of Allowance dated June 30, 2004. However, the Notice of Allowance did not indicate that the documents submitted with the Information Disclosure Statement filed on March 20, 2002 had been considered by the Examiner. For the convenience of the Examiner, a copy of the Information Disclosure Statement and the stamped postcard submitted on March 20, 2002 is enclosed.

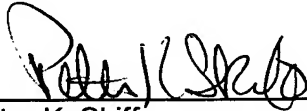
The Examiner is requested to initial and return to the undersigned a copy of the subject Form PTO-1449.

In view of the foregoing, the Examiner is requested to make of record the documents submitted with the Information Disclosure Statement filed on March 20, 2002.

Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

Date: October 14, 2004

By:   
Peter K. Skiff  
Registration No. 31,917

P.O. Box 1404  
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AVAILABLE COPY

Inventor: Walter A. NICHOLS et al.

Appln. No. 10/005/155

Filing Date: December 7, 2001

Docket No.: 033018-078

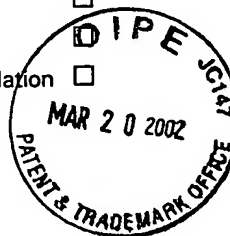
Work Atty: PKS:lib

Date: March 20, 2002



The following was/were received in the U.S. Patent and Trademark Office on the date stamped hereon:

- |  |   |   |
|--|---|---|
| <input type="checkbox"/> Amendment or Response   | <input type="checkbox"/> Certificate Under 37 C.F.R. § 3.73(b)                                      | <input type="checkbox"/> Check for \$__ is enclosed   |
| <input type="checkbox"/> Preliminary Amendment   | <input type="checkbox"/> Transmittal Letter for Missing Parts of Application                        | <input type="checkbox"/> Check for \$__ is enclosed   |
| <input type="checkbox"/> Reply Transmittal Letter  | <input type="checkbox"/> Executed Declaration/Power of Attorney                                     | <input type="checkbox"/> Charge \$__ to Deposit Account   |
| <input type="checkbox"/> Petition for _ Month Extension of Time                                    | <input type="checkbox"/> Assignment/Assignment Recordation Form Cover Sheet (PTO-1595)              | <input type="checkbox"/> Issue Fee Transmittal  |
| <input type="checkbox"/> Submission of Formal Drawings w/ _ sheet(s) of drawings (Fig(s). 1- )     | <input type="checkbox"/> Claim for Convention Priority w/ _ certified copy(s)                       | <input type="checkbox"/> Payment of Issue Fee and Authorization to charge Deposit Account       |
| <input type="checkbox"/> Request for Approval of Drawing Changes w/ _ sheet(s) of red ink drawings | <input checked="" type="checkbox"/> Information Disclosure Statement w/ document(s)                 | <input type="checkbox"/> Request for Refund   |
| <input type="checkbox"/> Notice of Appeal  | <input checked="" type="checkbox"/> Information Disclosure Citation (PTO-1449)                      | <input type="checkbox"/> Status Inquiry   |
| <input type="checkbox"/> Brief for Appellant   | <input checked="" type="checkbox"/> Information Disclosure Statement Transmittal Letter             | <input type="checkbox"/> Request for Corrected Filing Receipt w/copy of Official Filing Receipt |
| <input type="checkbox"/> Request for Oral Hearing  | <input type="checkbox"/> Request for Corrected Notice of Recordation of Assignment w/copy of Notice |   |
| <input type="checkbox"/> Reply Brief   | <input type="checkbox"/> Request for Continued Examination  |   |
| <input type="checkbox"/> Response to Restriction Requirement or Election of Species                |   |   |
| <input type="checkbox"/> Terminal Disclaimer   |   |   |



3-IDS

68 (10/00)



Patent  
Attorney's Docket No. 033018-078

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

## In re Patent Application of

Walter A. NICHOLS et al.

**Application No.: 10/005,155**

**Filed: December 7, 2001**

**For: DISPOSABLE AEROSOL GENERATOR  
SYSTEM AND METHODS FOR  
ADMINISTERING THE AEROSOL**

**Group Art Unit: 3761**

**Examiner:** Not Yet Assigned

## INFORMATION DISCLOSURE STATEMENT TRANSMITTAL LETTER

Assistant Commissioner for Patents  
Washington, D.C. 20231

**Sir:**

Enclosed is an Information Disclosure Statement and accompanying form PTO-1449 for the above-identified patent application.

- ☒ No additional fee for submission of an IDS is required.
- ☐ The fee of \$180.00 (126) as set forth in 37 C.F.R. § 1.17(p) is also enclosed.
- ☐ A certification under 37 C.F.R. § 1.97(e) is also enclosed.
- ☐ A certification under 37 C.F.R. § 1.97(e), and the fee of \$180.00 (126) as set forth in 37 C.F.R. § 1.17(p) are also enclosed.
- ☐ Charge \$\_\_\_\_\_ to Deposit Account No. 02-4800 for the fee due.
- ☐ A check in the amount of \$\_\_\_\_\_ is enclosed for the fee due.

The Commissioner is hereby authorized to charge any appropriate fees under 37 C.F.R. §§ 1.16, 1.17 and 1.21 that may be required by this paper, and to credit any overpayment, to Deposit Account No. 02-4800. This paper is submitted in duplicate.

Respectfully submitted,

**BURNS, DOANE, SWECKER & MATHIS, L.L.P.**

P.O. Box 1404  
Alexandria, Virginia 22313-1404  
(703) 836-6620

**By:**

Peter K. Skiff  
Registration No. 31,917

**Date:** March 20, 2002

DOCKETED  
filed 3-20-02 <sup>LS</sup>  
4/30



Patent  
Attorney's Docket No. 033018-078

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of	)	
	)	
Walter A. NICHOLS et al.	)	Group Art Unit: 3761
	)	
Application No.: 10/005,155	)	Examiner: Not Yet Assigned
	)	
Filed: December 7, 2001	)	
	)	
For: DISPOSABLE AEROSOL GENERATOR	)	
SYSTEM AND METHODS FOR	)	
ADMINISTERING THE AEROSOL	)	

**INFORMATION DISCLOSURE STATEMENT**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

In accordance with the duty of disclosure as set forth in 37 C.F.R. § 1.56, Applicants hereby submit the following information in conformance with 37 C.F.R. §§ 1.97 and 1.98. Pursuant to 37 C.F.R. § 1.98, a copy of each of the documents cited on the PTO-Form 1449 is enclosed.

The documents listed on the attached PTO-Form 1449 are cited in commonly owned patents and/or patent applications and/or other wise came to the attention of the Applicants.

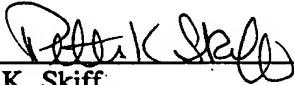
The documents are being submitted within 3 months of the filing or entry of the national stage of this application or before the first Office Action on the merits, whichever is later, therefore no fee or statement is required under 37 C.F.R. § 1.97(b).

To assist the Examiner, the documents are listed on the attached form PTO-1449. It is respectfully requested that an Examiner initialed copy of this form be returned to the undersigned.

Respectfully submitted,

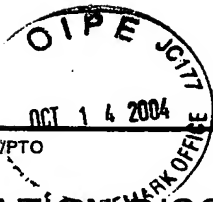
BURNS, DOANE, SWECKER & MATHIS, L.L.P.

By: \_\_\_\_\_

  
Peter K. Skiff  
Registration No. 31,917

P.O. Box 1404  
Alexandria, Virginia 22313-1404  
(703) 836-6620  
Date: March 20, 2002

**DOCKETED**  
filed 3-20-02 <sup>CS</sup>  
4/300



Substitute for form 1449A/PTO

ATTORNEY'S DKT NO.

033018-078

APPLICATION NO.

10/005,155

# INFORMATION DISCLOSURE STATEMENT BY APPLICANT

APPLICANT

Walter A. NICHOLS et al.

FILING DATE

December 7, 2001

GROUP

3761

## U.S. PATENT DOCUMENTS

Examiner Initials	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication (MM-DD-YYYY)
	Number	Kind Code (if known)		
	2,896,856		Kravits	07-28-1959
	3,084,698		Smith	04-09-1963
	3,157,179		Paullus et al.	11-17-1964
	3,162,324		Houser	12-22-1964
	3,431,393		Katsuda	04-04-1969
	3,486,663		Humphrey	12-30-1969
	3,658,059		Steil	04-25-1972
	3,716,416		Adlhart et al.	02-13-1973
	3,750,961		Franz	08-07-1973
	3,847,304		Cohen	11-12-1974
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	3,903,883		Pecina et al.	09-09-1975
	3,904,083		Little	09-09-1975
	3,967,001		Almaula et al.	06-29-1976
	3,987,941		Blessing	10-26-1976
	3,993,246		Erb et al.	11-23-1976
	3,995,371		O'Keefe	12-07-1976
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	4,060,082		Lindberg et al.	11-29-1977
	4,077,542		Petterson	03-07-1978
	4,161,282		Erb et al.	07-17-1979
	4,162,501		Mitchell et al.	07-24-1979
	4,215,708		Bron	08-05-1980
	4,231,492		Rios	11-04-1980
	4,258,073		Payne	03-24-1981
	4,259,409		Arnold	03-31-1981
	4,261,356		Turner et al.	04-14-1981
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	4,395,303		Weir	07-26-1983
	4,433,797		Galia	02-28-1984
	4,471,892		Coleman	09-18-1984
	4,512,341		Lester	04-23-1985

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. SEND TO: Assistant Commissioner for Patents, Washington, D.C. 20231.

OCT 14 2004

SHEET 2 OF 7

Substitute for form 1449A/PTO

# INFORMATION DISCLOSURE STATEMENT BY APPLICANT

ATTORNEY'S DKT NO.

033018-078

APPLICATION NO.

10/005,155

APPLICANT

Walter A. NICHOLS et al.

FILING DATE

December 7, 2001

GROUP

3761

4,575,609	Fassel et al.	03-11-1986
4,627,432	Newell et al.	12-09-1986
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4,735,217	Gerth et al.	04-05-1988
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4,749,778	Fukuzawa et al.	06-07-1988
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4,776,515	Michalchik	10-11-1988
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4,811,731	Newell et al.	03-14-1989
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4,829,996	Noakes et al.	05-16-1989
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5,133,343	Johnson, IV et al.	07-28-1992
5,134,993	van der Linden et al.	08-04-1992
5,135,009	Müller et al.	08-04-1992

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. SEND TO: Assistant Commissioner for Patents, Washington, D.C. 20231.

(05/01)



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ATTORNEY'S DKT NO.  
033018-078APPLICATION NO.  
10/005,155INFORMATION DISCLOSURE  
STATEMENT BY APPLICANTAPPLICANT  
Walter A. NICHOLS et al.FILING DATE  
December 7, 2001GROUP  
3761

	5,144,962	Counts et al.	09-08-1992
	5,151,827	Ven et al.	09-29-1992
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	5,290,540	Prince et al.	03-01-1994
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	5,395,445	Bohanan	03-07-1995
	5,421,489	Holzner, Sr. et al.	06-06-1995
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. SEND TO: Assistant Commissioner for Patents, Washington, D.C. 20231.



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ATTORNEY'S DKT NO.

033018-078

APPLICATION NO.

10/005,155

# INFORMATION DISCLOSURE STATEMENT BY APPLICANT

APPLICANT

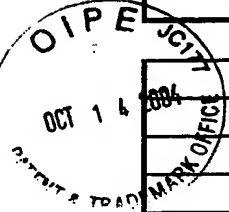
Walter A. NICHOLS et al.

FILING DATE

December 7, 2001

GROUP

3761



	5,856,671	Henion et al.	01-05-1999
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	5,906,202	Schuster et al.	05-25-1999
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. SEND TO: Assistant Commissioner for Patents, Washington, D.C. 20231.

Substitute for form 1449A/PTO

# INFORMATION DISCLOSURE STATEMENT BY APPLICANT

ATTORNEY'S DKT NO.

033018-078

APPLICATION No.

10/005,155

APPLICANT

Walter A. NICHOLS et al.

FILING DATE

December 7, 2001

GROUP

3761



6,123,936	Platz et al.	09-26-2000
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6,159,188	Laibovitz et al.	12-12-2000
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6,189,803	Gañán-Calvo	02-20-2001
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6,284,525	Mathies et al.	09-04-2001
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6,294,204	Rössling et al.	09-25-2001
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6,318,361	Sosiak	11-20-2001

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. SEND TO: Assistant Commissioner for Patents, Washington, D.C. 20231.

Substitute for form 1449A/PTO

ATTORNEY'S DKT NO.

033018-078

APPLICATION NO.

10/005,155

# INFORMATION DISCLOSURE STATEMENT BY APPLICANT

APPLICANT

Walter A. NICHOLS et al.

FILING DATE

December 7, 2001

GROUP

3761

Pub. No.  
2001/0032647  
A1

Schuster et al.

Published  
10-25-2001

## FOREIGN PATENT DOCUMENTS

Examiner Initials	Foreign Patent Document		Country	Date of Publication (MM-DD-YYYY)	Translation	
	Number	Kind Code (if known)			Yes	no
	667979 A		France	10-25-1929		X
	354094 A		Belgium	09-1928		X
	354004 A		Belgium	09-1928		X
	94/09842 A		WIPO	05-11-1994		
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	0358114 A		Europe	03-14-1990		
	0642802 A2		Europe	05-14-1996		
	1036470 B1		Germany	08-14-1958		X
	P953409		Hungary (Abstract Only)	06-03-1994	Abstract Only	
	207457 A		Hungary	04-28-1993		X
	168128 B		Hungary (Abstract Only)	11-28-1977	Abstract Only	
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NON						
Examiner Initials						
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Walter A. NICHOLS et al.FILING DATE  
December 7, 2001GROUP  
3761

Roth, G. et al. High Performance Liquid Chromatographic Determination of Epimers, Impurities, and Content of the Glucocorticoid Budesonide and Preparation of Primary Standard, Journal of Pharmaceutical Sciences, Vol. 69, No. 7, pp. 766-770, July 1980

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